



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR MICHAEL LENARES

**Minutes – Tuesday, April 26, 2011
7:00 p.m.
Newington Town Hall – Helen Nelson Room**

I PLEDGE OF ALLEGIANCE

II ROLL CALL

Councilors Present:

Councilor Banach
Councilor Bottalico
Councilor Cohen
Councilor Klett
Councilor McBride
Councilor Nagel
Councilor Nasinnyk
Mayor Lenares

Councilor Casasanta absent

Staff Present:

Jaime Trevethan, Exec. Asst. to the Town Manager
Mary Richard, Council Clerk

Mayor Lenares asked for a moment of silence in honor of Town Manager Salomone's father who passed away on Friday.

Councilor Klett asked for a moment of silence for former Principal Anne Giddings who passed away today.

III PUBLIC PARTICIPATION

Rose Lyons, 46 Elton Drive – said at the last Council meeting regarding the discussion on CIP plan, it was noted that the only portion that was binding was the year 2011 – 2012 and the other years was for planning only. She said she hoped the Council's comments are not held against you next year if the money is not available. She said that over the past few years monies have been transferred from one project to the other with the anticipation that the money will become available. She suggested that instead of looking for new projects to fund we should maintain what we have and make that a priority in the future.

Holly Harlow, member of the public commented on the subject of Cedar Mountain and she knows that the Council is not involved in any of the decisions made on this subject, but she said the 2020 plan discussed last year, and given the value of Cedar Mountain which has to do with how we go about making the decisions she believe that the other citizens should be able to demand that we take every mean possible to evaluate and assess all the resources in that area before we act on it. She said that there are experts available, at no cost, offered by the State of CT. which is the CT Environmental Resource Team, or CERT. She said that the only person who can request this service is the Mayor or the Chairs of TPZ or the Conservation of Parks and Rec. She said she hadn't seen any where that any of these people requested this service. She said she realizes that the Council cannot make the decisions; they might have some important input. She asked if this matter can be taken up because

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time is of the essence, we know the applications are coming in and she asks that if the Council can influence any any of those individuals.

IV CONSIDERATION OF OLD BUSINESS

A. Appointment of Auditor

RESOLVED:

Per Section 610 of the Newington Town Charter, the firm of Blum Shapiro is hereby appointed as auditor for the Town of Newington for the fiscal year ending June 30, 2011; said firm agrees to file a complete report on or before December 15, 2011.

MOTION BY: Councilor Nagel

SECONDED BY: Councilor Nasinnyk

VOTE: 8 – 0 Councilor Casasanta absent

Mayor Lenares commented that this is a routine item that must be passed every year.

B. 8-24 Report – CL&P Easement, New Samaritan Elderly Housing Project

RESOLVED:

That the Town Manager is hereby directed and authorized to submit to the Town Plan and Zoning Commission for its report in accordance with Section 8-24 of the Connecticut General Statutes, the proposed easement to be granted to Connecticut Light and Power for service to the New Meadow Phase II housing.

MOTION BY: Councilor Bottalico

SECONDED BY: Councilor Nasinnyk

VOTE: 8 – 0 Councilor Casasanta absent

C. STEEP Grant Application Update Resolution

RESOLVED:

That the Newington Town Council hereby states that since the approval of resolution 2011-2, passed on January 11, 2011 and certified by the Newington Town Clerk on January 18, 2011, there have been no changes regarding the filing of an application for State financial assistance for the following program:

WHEREAS, pursuant to Public Act 01-7, JSS, Section 19(a), Small Towns Economic Assistance Act Program, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and

WHEREAS, it is desirable and in the public interest that the Town of Newington make an application to the State for \$200,000 in order to undertake the Newington Town Center Streetscape Phase IV Project on Market Square and to execute an Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE NEWINGTON TOWN COUNCIL:

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Public Act 01-7, JSS, Section 19(a), Small Towns Economic Assistance Act Program; and
2. That the filing of an application for State financial assistance by the Town of Newington in an amount not to exceed \$200,000 is hereby approved, and that John L. Salomone, Town Manager, is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Newington.

MOTION BY: Councilor McBride

SECONDED BY: Councilor Banach

VOTE: 8 – 0 Councilor Casasanta absent

Councilor Nasinnyk noted for the public that this resolution has already been already passed and since the paperwork is still pending at the State level, it has asked the Town to verify that there have been no changes.

D. Discussion: Long Range CIP

Councilor Nasinnyk moved to table this item because of the absence of Mr. Salomone and having just received this packet it would be appropriate that Mr. Salomone be present.

Councilor Banach seconded. Vote 8 – 0 Councilor Casasanta absent.

E. Sale of Town-Owned Land to the State of CT: 690 Cedar Street

WHEREAS, the State of Connecticut Department of Transportation has offered to purchase an easement to slope for drainage, drainage rights of way, rights to grad and rights to install sedimentation control as shown on “Town of Newington May Showing Easement Acquired by the State of Connecticut Department of Transportation, New Britain - Hartford Busway. Scale 1” = 40’. December 2006” on Town property located on 690 Cedar Street , and

WHEREAS, this easement is required by the State to construct the abutting busway and Cedar/Fenn Station and

WHEREAS, the State has offered a purchase price of \$5,200 for said property; and

WHEREAS, the Town of Newington’s Assessor has reviewed the offer and found it to be reasonable; and

WHEREAS, the Newington Town Plan and Zoning Commission’s 8-24 Referral report to the Town Council expressed approval to report to the Town Council favorable support for the conveyance;

NOW THEREFORE BE IT RESOLVED, that the Town Manager is authorized to enter into an agreement with the State of Connecticut Department of Transportation for the sale of the parcel of Town owned property located at 690 Cedar Street to the State of Connecticut for the sum of \$5,200. And the confirmation that the Town will have public access to 690 Cedar Street from the abutting Cedar/Fenn Busway station to Fenn Road.

Mayor Lenares called for a Roll Call Vote;

Councilor Banach no

Councilor Bottalico yes

Councilor Cohen no

Councilor Klett no

Councilor McBride yes

Councilor Nagel yes

Councilor Nasinnyk no

Mayor Lenares yes

MOTION BY: Councilor Cohen

SECONDED BY: Councilor Klett

VOTE: 4 no 4 yes Motion fails Councilor Casasanta absent

Mayor Lenares inquired about what will happen if the Council does not pass the resolution. Mrs. Trevethan replied that the State has already contacted the Town Manager to indicate that it will move forward with condemnation (Eminent Domain) acquisition of the property if the Town does not approve.

V. CONSIDERATION OF NEW BUSINESS

A. Discussion: Town Attorney Agreement

Councilor Klett moved to table this item because of the absence of the Town Manager. Seconded by Councilor Bottalico. Vote 8 – 0 Councilor Casasanta absent

VI. RESIGNATIONS/APPOINTMENTS - NONE

A. Appointments to Other Boards and Commissions

VII. TAX REFUNDS

RESOLVED:

That property tax refunds in the amount of \$11,767.96 are hereby approved in the individual amounts and for those named on the "Requests for Refund of an Overpayment of Taxes," certified by the Revenue Collector, a list of which is attached to this resolution.

MOTION BY: Councilor Banach

SECONDED BY: Councilor Nasinnyk

VOTE: 8- 0 Councilor Casasanta absent

VIII MINUTES OF PREVIOUS MEETINGS

- A. Public Hearing, April 7, 2011 – Mayor Lenares moved to accept the minutes. Seconded by Councilor Nasinnyk. Vote 8 0 - Councilor Casasanta absent
- B. Special Meeting, April 7, 2011 - Mayor Lenares moved to accept the minutes. Seconded by Councilor Nasinnyk. Vote 8 – 0 Councilor Casasanta absent
- C. Regular Meeting, April 12, 2011

Councilor Cohen made the following corrections - Page 5

Should read "...the entire CIP budget. Page 7 Item V.D should read'and authorizes" Page 8 – VI.A Councilor Nasinnyk asked about a different partner in the team of auditors, it was not Councilor Cohen asking. Page 9 – the first sentence should"and the Newington Board of Education.... School facilities".

Mayor Lenares moved to accept the minutes with corrections. Seconded by Councilor Bottalico. Vote 8- 0 Councilor Casasanta absent

IX WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

- A. Town Manager Reports - NONE

X. COUNCIL LIAISON/COMMITTEE REPORTS –

Councilor Nagel said he recently attended a Board of Fire Commissioners meeting and an agreement has been reached that the Fire Department will be receiving a section of the Twin Towers as a memorial and also a member spoke who attended the Open Space Committee where a plan was presented regarding Cedar Mountain and people were permitted to ask questions.

XI PUBLIC PARTICIPATION

Rose Elton, 46 Elton Drive – thanked the Mayor for allowing a previous speaker to go over the allotted minutes, it is appreciated.

XII REMARKS BY COUNCILORS

Councilor Klett said regarding the blight ordinance, is TPZ working on a blight ordinance and asked if there is an update on any changes, and if there is a person in charge of oversight and if that person could come in and speak with us on what's happening there. Secondly regarding the public speaker, Holly Harlow's comments on the environmental study, Councilor Klett said she knows that there is an application in to the TPZ and she has received emails and believes that these issues should be addressed and she believes that we should consider making a request of this agency, CERT, and not just let this pass if this agency could perhaps help us in making some of these decisions.

Councilor Cohen suggested that the documents be sent to Mr. Pruitt for consideration. Also she has received emails, but she does not have the ability to respond by email, and requested that anyone wishing to reach her please give her a phone call.

Councilor Nasinnyk thanked everyone for their emails, and for the public information there will be a public hearing on May 25, 2011 concerning the petition to change the zoning regulations.

Councilor Banach thanked the public for their interest and bottom line it's all about money, and to save the Mountain will need a lot of money. We would like to save the Mountain but again it comes back to the money involved.

Councilor Nagel said there is a preservation trust fund that does exist for Newington opened in January or December, with very little money in it at this point. On another note, the Friends of the Library is having a book sale on Friday, April 29th from 6:30 pm to 9 pm and Saturday April 30th from 9 am to 5 pm and on Sunday, May 1st from 12 noon to 4 pm. He hopes everyone will come out and support the Library.

Councilor McBride said he appreciates all the interest in the Cedar Mountain issue, and after some research, he found that there was a request to bring in the CERT to do a study but the request was dropped when Toll Brothers pulled back their petition. A question came up, could this request be taken up and he said it can be but only after the permit is in front of the TPZ. He said that if anyone has more questions, feel free to submit them and he will answer what he can from his research.

Councilor Klett asked if CERT couldn't pursue the matter because there was no pending application. Councilor McBride said that there was an application and this was a good way to go and Commissioner Papa was in favor, however they looked at pursuing this but Toll Brothers had pulled back their application. Councilor Klett said that perhaps we should go directly to the Conservation Commission and say the application is back in, and is the chairperson going to send a letter regarding this application.

Councilor McBride said that the EDC, the Conservation Commission can make the request, the TPZ can make the request and there are a bunch of facets of the Town who can make this request.

Councilor Klett said that it might be appropriate to send to Mr. Meehan and ask that it be forwarded to the proper people and this is something we can't just sit on.

Mayor Lenares said that he will pass this along to the Town Planner, having just received this document tonight, and find out what the proper procedure is.

Councilor Klett asked that written correspondence be made available asking for some action to be taken.

Mayor Lenares said regarding Cedar Mountain, there might be \$75 To \$135 in the fund but without money we aren't going anywhere.

XIII ADJOURNMENT

Councilor Bottalico moved to adjourn at 7:50 p.m.. Seconded by Councilor Banach. Vote 8 -0 Councilor Casasanta absent.

Respectfully Submitted,

Mary Richard
Council Clerk